COMMENTS

Status of the Application

Receipt is acknowledged of a response including a sufficient 1.132 declaration entered 29 March 2010.

Status of the Claims

Claims 1,2,4,7-15,19 were pending. Claims 1,2,4,7-15,19 are herein under consideration.

For the record, please note despite what is indicated on p 2 of the Office Action mailed 8/9/2007 by the previous examiner, claims 13-15 have NOT been withdrawn.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bob Madsen on 5/12/2010 (see attached interview summary).

The application has been amended as follows:

1. (currently amended) A biochip comprising:

a flat solid support having a surface covered with a metal capable of coordination bonding with a phosphate group; and

at least one nucleic acid ~~biopolymer~~ carrying a phosphate group, ~~;~~ $OP(O)(OH)_2$ in the 5' position being immobilized on said surface by ionocovalent bonding between the phosphate group of the nucleic acid ~~polymer~~ and the metal.

4. (currently amended) The biochip according to claim ~~2~~ 1, characterized in that the nucleic acid has a polyguanine (polyG) spacer group between the body of the nucleic acid and the phosphate group.

12. (currently amended)) The biochip according to claim 1, ~~further comprising~~ wherein:

the flat solid support is a sheet of glass having a surface covered with a monolayer of zirconium octadecylphosphonate; and the

at least one nucleic acid carrying a phosphate group in the 5' position is ~~being~~ immobilized on said surface by ionocovalent bonding between the phosphate group of the nucleic acid and the zirconium

13. (currently amended) A method for making a biochip, as defined in claim 1, comprising immobilizing at least one nucleic acid ~~biopolymer~~ carrying a phosphate group in the 5' position on a solid support having a surface covered with a metal capable of coordination bonding with a phosphate group, the nucleic acid ~~biopolymer~~ being immobilized on said surface by ionocovalent bonding between the phosphate group of the nucleic acid ~~polymer~~ and the metal.

14. (currently amended) The method according to claim 13, further comprising a step of obtaining the nucleic acid ~~biopolymer~~ carrying a phosphate group by enzymatic phosphorylation at the 5' position.

Please cancel claims 2, 15 and 19.

Allowable Subject Matter

Claims 1,4,7-14 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER M. GROSS whose telephone number is (571)272-4446. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached on 571 272 0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/ Christopher S. F. Low /
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